

THE INTRODUCTION OF LEGISLATION TO MAKE NON-PROFIT DOE CONTRACTORS SUBJECT TO CIVIL PENALTIES FOR SAFETY VIOLATIONS

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 1999

Mr. BARTON of Texas. Mr. Speaker, today I am introducing legislation to correct a long-standing problem in the management of Department of Energy facilities.

Current law provides a special deal for DOE's non-profit contractors. When these non-profit contractors violate DOE's nuclear safety regulations, they are exempt from paying any fines for their misdeeds.

This exemption means that we now have two different sets of rules for DOE contractors—one set of rules for the conventional for-profit contractors, who are subject to fines for safety violations, and another set of rules for the non-profit contractors, who pay no penalty whatsoever for safety violations.

Because there are no adverse financial consequences when these non-profit contractors violate safety rules, we have unintentionally created a system in which there is little incentive for the non-profit contractors to take their nuclear safety responsibilities seriously.

The 1988 Price-Anderson Amendments to the Atomic Energy Act specifically exempted seven contractors, including non-profit institutions such as the University of California, from civil penalties. In a 1993 rule, the Secretary of Energy provided an automatic exemption from civil penalties for all non-profit educational institutions. This bill would amend the Atomic Energy Act to eliminate the statutory exemption for specific non-profit contractors and also eliminate the authority of the Secretary of Energy to provide, by regulation, an automatic exemption for all non-profit educational institutions.

At the Committee's request, the General Accounting Office recently completed a review of DOE's enforcement of nuclear safety rules, documenting recent DOE safety violations at DOE facilities. Of the total penalties assessed from 1996 through 1998 for safety violations, one-third of those penalties were assessed against non-profit contractors—and because of the exemptions in statute and in regulation, never had to be paid.

GAO concluded that the exemption for non-profit contractors should be eliminated. It made that recommendation in its report to Congress, and it testified to that effect before the Commerce Committee in a hearing on DOE Worker Safety on June 29, 1999.

This is a good example of how the legislative process works. Problems in agency performance, in this case recurrent safety problems at DOE facilities, prompted a closer look by the Oversight and Investigations Subcommittee, with the assistance of the GAO. This led to the legislation we are introducing today to solve those problems.

A TRIBUTE TO BERT ASKWITH

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 1999

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Bert Askwith, a leader in the worlds of business and philanthropy, who this year will be honored by the United Way for his exceptional community service.

Mr. Askwith is a living embodiment of the American dream. He founded Campus Coach Lines while still a college student in Depression-era Michigan. In the years that followed, Mr. Askwith would move Campus Coach Lines to New York and build it into a leading charter company. Indeed, today, Campus Coach supports everything from athletics to education to the arts by providing affordable, quality transportation to major institutions and individuals alike.

Mr. Askwith's business acumen and contributions to his field are evidenced by his election to six terms as President of the New York State Bus Association and by his service as a Director of the American Bus Association.

But in his home town of Harrison and home county of Westchester, Mr. Askwith is at least as well known for his volunteer work and boundless devotion to community needs. His contributions to the United Way alone have been vast—spanning everything from leadership of a local chapter to policy-making with the national organization.

Mr. Askwith is blessed with a wonderful family. His wife, Mimi, is a national resource in her own right and was voted Harrison's "Woman of the Year" in 1995. Mimi and Bert's energy and commitment are reflected in and shared by their three children, Patti Kenner, Dennis Askwith, and Kathy Franklin, as well as in their four grandchildren.

I am pleased to join in recognizing Bert Askwith on his many achievements and his towering personal example. He is a great man and a great American.

TRIBUTE TO EUGENE C. BAUER

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 1999

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to Eugene C. Bauer. Mr. Bauer has recently retired from both his job at Ozee Terminal Incorporated and a life-long service to Coles County, Illinois. On September 28, 1914, Eugene C. Bauer was born and raised on his family's farm in Strasbourg, Illinois. Mr. Bauer and his wife Sharon are the parents of three children: Dr. Eugene A. Bauer, Dean of the School of Medicine at Stanford University, Kim M. Bauer, a Historic Research Specialist, at the Illinois Historical Preservation Society, and Mrs. Pamela K. Stewalt, who is employed by AmericanCIPS.

I am most pleased to inform my colleagues of Eugene C. Bauer's life-long dedication to improving the lives of his friends, neighbors, and fellow residents of Coles County. His accomplishments and accolades are almost too numerous to mention, but I want to take this

time to do just that. Mr. Bauer has provided his valuable service and guidance to the Mattoon Association of Commerce, Mattoon Rotary Club, the American Red Cross, School District 100-Mattoon, Community Unit School District #2 of Coles County, Lake Land College, Mattoon Area Development Coalition, Coles Together, keeping and renovating the Post Office in downtown Mattoon and the Coles County Board. He was awarded the Rotary Club Man of the Year 1973-1974, the Postal Award in 1980, the Civic Award by the Mattoon Association of Commerce in 1981 and the Distinguished Service Award by Land Lake College in 1988. He is also the owner of Ozee Terminals Incorporated, which is a real estate holding and development company established in 1945 by Carl Ozee.

Mr. Speaker, I know that Eugene C. Bauer will be sorely missed by all the people he works with and the organizations he is affiliated with in Coles County during his retirement. However, I am sure that his presence in the Coles County Community will still be strong, while he is enjoying his retirement to the fullest. He enjoys reading, gardening, music, splitting wood and spending time with his family. I hope my fellow colleagues will join me now in congratulating Eugene C. Bauer on his retirement and wishing him God's speed in all his future endeavors.

COMMEMORATING THE 66TH ANNIVERSARY OF THE UKRAINIAN FAMINE OF 1932-1933

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 1999

Mr. SCHAFFER. Mr. Speaker, this year, the Ukrainian nation and the entire Ukrainian-American community will solemnly commemorate the 66th anniversary of the Ukrainian famine of 1932-1933. The poignancy that envelops this sorrowful episode in Ukrainian history stems from the fact the famine was an artificial famine. The Soviet government decided to break the resistance of all Ukraine through sheer naked force. Indeed, Josef Stalin was determined to crush all vestiges of Ukrainian nationalism.

Stalin quickly transformed the U.S.S.R. into an industrialized state at enormous cost to human and material resources. Between 7 to 10 million Ukrainians perished as a direct result of his forced agriculture collectivization.

In 1932, the Soviets increased the grain procurement quota for Ukraine by 44%. They were aware this extraordinarily high quota would result in a grain shortage, therefore resulting in the inability of the Ukrainian peasants to feed themselves. Soviet law was quite clear. No grain could be given to feed the peasants until the quota was met. The famine broke the peasants will to resist collectivization and left Ukraine politically, socially, and psychologically traumatized.

Although the world press reported the truth about the famine in Ukraine, regrettably, Western industrialists and businessmen proceeded to do business with the U.S.S.R.—especially by buying Ukrainian wheat at cheap prices, heedless of the fact that millions of Ukrainians had perished from hunger because Moscow had confiscated this wheat in order to sell it for profit abroad.